

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

---

POLICE OFFICERS ASSOCIATION OF  
MICHIGAN, DENNIS HOWE, and  
CHRISTOPHER BOES,

UNPUBLISHED  
May 16, 1997

Plaintiffs-Appellees,

v

CITY OF SAGINAW,

No. 190830  
Saginaw Circuit Court  
LC No. 95-9058 CL

Defendant-Appellant.

---

Before: Corrigan, C.J., and Young and M.J. Talbot\*, JJ.

MEMORANDUM.

Plaintiffs Howe and Boes were discharged from the Saginaw police force. Under the collective bargaining agreement between plaintiff union and the City, those dismissals were grieved, then arbitrated. The arbitrator ultimately ruled that the officers should be reinstated.

The City did not challenge the award within the 21 days allowed by MCR 3.602(J)(2). Thereafter, when the two officers presented themselves for duty but were denied reinstatement, they joined the union in bringing this action to confirm the arbitrator's award and for preliminary injunctive relief, both of which were granted by the Saginaw Circuit Court. The City appeals by right; this case is being decided without oral argument pursuant to MCR 7.214(E).

In this statutory arbitration proceeding, the City of Saginaw's contention that the arbitrator failed to address each and every one of the arguments raised by the City of Saginaw in support of its action fails to identify a cognizable basis for vacating an arbitrator's award as recognized in MCR 3.602(J)(1)(a)-(d). The circuit court therefore was left with no option but to confirm the award pursuant to MCR 3.602(J)(4). *Downing v Allstate Ins Co (On Remand)*, 124 Mich App 727, 732; 335 NW2d 139 (1983), modified on other grounds 419 Mich 932; 355 NW2d 111 (1984). Even if this were common law arbitration, the court reviews only the award made by the arbitrator, not the

---

\* Circuit judge, sitting on the Court of Appeals by assignment.

accompanying discussion or opinion. *Local 214, Law Enforcement Division, Teamsters State, County & Municipal Workers v Genesee County Board of Commissioners*, 77 Mich App 296, 300-301; 258 NW2d 209 (1977). The award in this case, unlike that in *Local 214, supra*, is not ambiguous, nor does it represent, and it is not alleged to represent, action in excess of the arbitrator's authority or to fail to resolve the questions presented for the arbitrator's resolution. *E E Tripp Excavating Co v Jackson County*, 60 Mich App 221, 256-257; 230 NW2d 556 (1975). The arbitrator's award being complete and unambiguous on its face, no claim being made that the arbitrator exceeded his powers, was guilty of partiality, corruption, fraud or other impropriety, used unfair procedure, or committed an error of law but for which the award must have been different, the circuit court correctly confirmed the award.

Affirmed.

/s/ Maura D. Corrigan  
/s/ Robert P. Young, Jr.  
/s/ Michael J. Talbot